

PERFORMANCE AUDIT  
OF THE  
RECIPIENT RIGHTS SYSTEM  
OF WAYNE COMMUNITY LIVING SERVICES, INC.

AN AGENCY UNDER CONTRACT WITH THE  
DETROIT-WAYNE COUNTY COMMUNITY MENTAL HEALTH AGENCY

August 1998

## EXECUTIVE DIGEST

# RECIPIENT RIGHTS SYSTEM OF WAYNE COMMUNITY LIVING SERVICES, INC.

INTRODUCTION	This report, issued in August 1998, contains the results of our performance audit of the Recipient Rights System* of Wayne Community Living Services, Inc. (WCLS), an agency under contract with the Detroit-Wayne County Community Mental Health Agency (DWCCMHA).
AUDIT PURPOSE	This performance audit* was conducted as part of the constitutional responsibility of the Office of the Auditor General. Performance audits are conducted on a priority basis related to the potential for improving effectiveness* and efficiency*.
BACKGROUND	<p>WCLS, located in Wayne, Michigan, is a nonprofit mental health agency under contract with DWCCMHA to provide mental health services to people with developmental disabilities* throughout Wayne County. WCLS provides direct clinical support services* and housing development services* to recipients* and it subcontracts for recipient day program services* and residential services*. WCLS is governed by a 13-member board of directors selected from Southeastern Michigan.</p> <p>WCLS's mission* is to enable persons with developmental disabilities to experience a full life with dignity, health,</p>

*\* See glossary on page 43 for definition.*

opportunity for personal growth, and self-esteem while residing in the community.

As a provider of mental health services, WCLS is required by the Mental Health Code and its contract with DWCCMHA to establish a recipient rights system to protect recipients.

WCLS's operations are funded by State, federal and local funds. As of September 30, 1997, WCLS had 324 authorized positions and was serving approximately 1,680 recipients. For fiscal year 1996-97, WCLS's revenues and expenditures totaled \$106,095,891 and \$114,055,410, respectively. In addition, WCLS's subcontractors received \$7,759,967 in Supplemental Security Income on behalf of recipients that WCLS served for fiscal year 1996-97.

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**AUDIT OBJECTIVES,  
CONCLUSIONS, AND  
NOTEWORTHY  
ACCOMPLISHMENTS**

**Audit Objective:** To assess the effectiveness of WCLS's efforts to control and prevent recipient abuse\* and neglect\*.

**Conclusion:** We concluded that WCLS was not effective in its efforts to control and prevent recipient abuse and neglect. Our assessment disclosed three material conditions\*:

- WCLS did not establish an effective continuous quality improvement (CQI) process\* to monitor and improve its Recipient Rights System's performance in protecting recipients from abuse and neglect (Finding 1).

WCLS concurs with the finding. WCLS informed us that it has identified performance indicators and

\* See glossary on page 43 for definition.

performance goals and is in the process of implementing same in order to monitor and improve its effectiveness in protecting recipients from abuse and neglect.

- WCLS did not have an effective quality assurance process\* for ensuring its compliance with the Mental Health Code and the *Michigan Administrative Code* requirements for operating a recipient rights system (Finding 2).

WCLS concurs with the finding. WCLS informed us that it has implemented procedural changes as well as a system to monitor performance indicators to ensure its compliance with the Mental Health Code and the *Michigan Administrative Code*.

- WCLS's Office of Recipient Rights (ORR) staffing levels were not sufficient to operate its recipient rights system in accordance with Mental Health Code requirements and its contract with DWCCMHA (Finding 3).

WCLS concurs with the finding and informed us that:

- (1) WCLS has maximized its existing resources despite financial constraints. WCLS receives funding for 5 positions in ORR and had requested additional funding for 4 positions on three occasions, the latest in February 1998, that were denied by its funding source.
- (2) WCLS has supplemented ORR by an additional 80% beyond funded staffing with 4 positions from

\* See glossary on page 43 for definition.

WCLS's internal resources, and it continues to supplement these 4 positions despite an overall employment reduction of 36 (10%) of its total workforce.

Our assessment also disclosed reportable conditions\* related to WCLS recipient rights training, service site rights assessments, and guardianship renewals (Findings 4, 5, and 6).

In addition, our audit disclosed other reportable conditions that may have had an impact on the effectiveness of WCLS's efforts to control and prevent recipient abuse and neglect. These conditions are reported under our second audit objective.

**Noteworthy Accomplishments:** WCLS established a CQI committee to provide general education to all WCLS staff on CQI principles and tools. Also, WCLS established three task groups, including a recipient rights task group, to work on issues to help improve recipient rights and the effectiveness of the recipient rights system. Further, during the audit, WCLS assessed ORR's policies and procedures and developed a plan to correct weaknesses identified by the audit.

**Audit Objective:** To assess the effectiveness of WCLS's efforts to respond to and investigate recipient abuse and neglect complaints.

**Conclusion:** We concluded that WCLS was often ineffective in its efforts to respond to and investigate recipient abuse and neglect complaints. Our assessment disclosed reportable conditions related to timely reporting

*\*See glossary on page 43 for definition.*

and investigation of complaints, timeliness in completing complaint investigations, reporting suspected criminal abuse\* to law enforcement agencies, and reporting complaint investigation status and results to complainants and recipients, (Findings 7, 8, 9, and 10).

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**AUDIT SCOPE AND  
METHODOLOGY**

Our audit scope was to examine the program and other records of the Recipient Rights System of Wayne Community Living Services, Inc.. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

We examined WCLS's records and activities for the period October 1, 1994 through October 23, 1997.

To accomplish our audit objectives, we reviewed DWCCMHA's annual contract with WCLS and DWCCMHA's annual assessment of WCLS's Recipient Rights System. We obtained and analyzed WCLS's Management Information System (MIS) database on recipient rights complaints. We reviewed and evaluated WCLS's process for monitoring and improving ORR's effectiveness. We reviewed WCLS's and DWCCMHA's policies and procedures. We examined WCLS's recipient rights training and other program records. We interviewed WCLS and DWCCMHA personnel. We reviewed and evaluated WCLS's quality assurance process for meeting Mental Health Code and *Michigan Administrative Code* requirements for operating a recipient rights system. We evaluated staffing levels for ORR. We examined select recipient rights abuse and neglect complaint records. We

\*See glossary on page 43 for definition.

reviewed and evaluated WCLS's process for responding to and investigating recipient abuse and neglect complaints.

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**AGENCY RESPONSES**

Our audit report contains 10 findings and corresponding recommendations. WCLS's preliminary response indicated that it concurs with all 10 findings.

Ms. Marguerite Schervish, Chairperson  
Wayne Community Living Services, Inc.  
Metro Place Center  
35425 Michigan Avenue West  
Wayne, Michigan  
and  
Ms. Cynthia Taueg, Chairperson  
Detroit-Wayne County Community Mental Health Agency  
640 Temple, 8<sup>th</sup> Floor  
Detroit, Michigan  
and  
Mr. James K. Haveman, Jr., Director  
Department of Community Health  
Lewis Cass Building  
Lansing, Michigan

Dear Ms. Schervish, Ms. Taueg, and Mr. Haveman:

This is our report on the performance audit of the Recipient Rights System of Wayne Community Living Services, Inc., an agency under contract with the Detroit-Wayne County Community Mental Health Agency.

This report contains our executive digest; description of agency; audit objectives, scope, and methodology and agency responses; comments, findings, recommendations, and agency preliminary responses; complaint exhibits, presented as supplemental information; and a glossary of acronyms and terms.

Our comments, findings, and recommendations are organized by audit objective. The agency preliminary responses were taken from the agency's responses subsequent to our audit fieldwork.

We appreciate the courtesy and cooperation extended to us during this audit.

Sincerely,

Thomas H. McTavish, C.P.A.  
Auditor General



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## Description of Agency

Wayne Community Living Services, Inc. (WCLS), located in Wayne, Michigan, is a nonprofit mental health agency under contract with Detroit-Wayne County Community Mental Health Agency (DWCCMHA) to provide mental health services to people with developmental disabilities throughout Wayne County. WCLS provides direct clinical support and housing development services to recipients and it subcontracts for recipient day program and residential services. WCLS is governed by a 13-member board of directors selected from Southeastern Michigan.

WCLS's mission is to enable persons with developmental disabilities to experience a full life with dignity, health, opportunity for personal growth, and self-esteem while residing in the community.

As a provider of mental health services, WCLS is required by the Mental Health Code and its contract with DWCCMHA to establish a recipient rights system to protect recipients. To meet these mandates, WCLS established an office of recipient rights whose primary functions include providing recipient rights training, conducting rights complaint investigations, and monitoring services provided by subcontractors.

WCLS's operations are funded by State, federal and local funds. As of September 30, 1997, WCLS had 324 authorized positions and was serving approximately 1,680 recipients. For fiscal year 1996-97, WCLS's revenues and expenditures totaled \$106,095,891 and \$114,055,410, respectively. In addition, WCLS's subcontractors received \$7,759,967 in Supplemental Security Income on behalf of recipients that WCLS served for fiscal year 1996-97.

## Audit Objectives, Scope, and Methodology and Agency Responses

### Audit Objectives

Our performance audit of the Recipient Rights System of Wayne Community Living Services, Inc. (WCLS), an agency under contract with the Detroit-Wayne County Community Mental Health Agency (DWCCMHA), had the following objectives:

1. To assess the effectiveness of WCLS's efforts to control and prevent recipient abuse and neglect.
2. To assess the effectiveness of WCLS's efforts to respond to and investigate recipient abuse and neglect complaints.

### Audit Scope

Our audit scope was to examine the program and other records of the Recipient Rights System of Wayne Community Living Services, Inc. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

### Audit Methodology

We examined WCLS's records and activities for the period October 1, 1994 through October 23, 1997.

To accomplish our first objective, we reviewed DWCCMHA's annual contract with WCLS and DWCCMHA's annual assessment of WCLS's Recipient Rights System. We obtained and analyzed WCLS's Management Information System (MIS) database on recipient rights complaints. We reviewed and evaluated WCLS's process for monitoring and improving its Office of Recipient Right's (ORR's) effectiveness. We reviewed WCLS's and DWCCMHA's policies and procedures. We examined WCLS's recipient rights training and other program records. We interviewed WCLS and DWCCMHA personnel. We reviewed and evaluated WCLS's quality assurance process for meeting Mental Health Code and *Michigan Administrative Code* requirements for operating a recipient rights system. We evaluated staffing levels for ORR.

To accomplish our second objective, we reviewed DWCCMHA's annual contract with WCLS and DWCCMHA's annual assessment of WCLS's Recipient Rights System. We reviewed WCLS's and DWCCMHA's policies and procedures. We interviewed WCLS and DWCCMHA's personnel. We examined select recipient rights abuse and neglect complaint records. We reviewed and evaluated WCLS's process for responding to and investigating recipient abuse and neglect complaints.

Our audit work was performed during the months of June through October 1997 and included examining WCLS's records and activities for the period October 1, 1994 through October 23, 1997.

#### Agency Responses

Our audit report contains 10 findings and corresponding recommendations. The agency's preliminary response indicated that it concurs with all 10 findings.

The agency preliminary response which follows each recommendation in our audit report was taken from WCLS's written comments and oral discussion subsequent to our fieldwork.

# COMMENTS, FINDINGS, RECOMMENDATIONS, AND AGENCY PRELIMINARY RESPONSES

## CONTROL AND PREVENTION OF ABUSE AND NEGLECT

### **COMMENT**

**Background:** The Mental Health Code, Sections 330.1001 - 320.2106 of the *Michigan Compiled Laws*, establishes certain rights for individuals who receive mental health services in the State. In order to protect those rights, the Mental Health Code requires that each county community mental health services program (CMH) establish an office of recipient rights.

The Detroit-Wayne County Community Mental Health Agency (DWCCMHA) has contractually delegated to Wayne Community Living Services, Inc. (WCLS), its responsibility to operate an office of recipient rights for WCLS clients. Annual contracts require WCLS to operate such an office in accordance with the recipient right provisions of the Mental Health Code and Department of Community Health and DWCCMHA policies.

Effective March 28, 1996, the Mental Health Code directly defined WCLS's responsibilities and expanded and clarified the requirements for the operation of an office of recipient rights. As a service provider\* under contract with a CMH, WCLS is required to develop policies and procedures concerning recipient rights and the operation of an office of recipient rights that are consistent with the Mental Health Code.

**Audit Objective:** To assess the effectiveness of WCLS's efforts to control and prevent recipient abuse and neglect.

**Conclusion:** We concluded that WCLS was not effective in its efforts to control and prevent recipient abuse and neglect. Our assessment disclosed three material

\* See glossary on page 43 for definition.

conditions. WCLS did not establish an effective continuous quality improvement process to monitor and improve its Recipient Rights System's performance in protecting recipients from abuse and neglect. Also, WCLS did not have an effective quality assurance process for ensuring its compliance with Mental Health Code and *Michigan Administrative Code* requirements for operating a recipient rights system. Further, ORR staffing levels were not sufficient to operate its recipient rights system in accordance with Mental Health Code requirements and its contract with DWCCMHA.

Our assessment also disclosed reportable conditions related to WCLS recipient rights training, service site rights assessments, and guardianship renewals.

In addition, our audit disclosed other reportable conditions that may have had an impact on the effectiveness of WCLS's efforts to control and prevent recipient abuse and neglect. These conditions are reported under our second audit objective.

**Noteworthy Accomplishments:** WCLS established a continuous quality improvement (CQI) committee to provide general education to all WCLS staff on CQI principles and tools. Also, WCLS established three task groups, including a recipient rights task group, to work on issues to help improve recipient rights and the effectiveness of the recipient rights system. Further, during the audit, WCLS assessed ORR's policies and procedures and developed a plan to correct weaknesses identified by the audit.

## **FINDING**

### **1. CQI Process**

WCLS did not establish an effective CQI process to monitor and improve its Recipient Rights System's performance in protecting recipients from abuse and neglect.

The DWCCMHA contract with WCLS requires WCLS to maintain a CQI process to help further the safety and protection of its recipients. Current CQI literature supports a CQI process that includes: performance indicators\* for measuring outcomes; performance goals\* that describe the desired level of outcomes consistent with the best of peer group performance; a management information

\* See glossary on page 43 for definition.



and data collection system to accurately gather outcome data and monitor progress; a comparison of outcome data to desired outcomes; a reporting of the comparison results to management; an analysis of the performance gaps that exist between the outcomes and the desired outcomes; and proposals of program modifications to improve effectiveness.

We noted the following deficiencies in WCLS's CQI process to monitor and improve its Recipient Rights System's performance:

- a. Management did not establish performance indicators and performance goals to assess the System's effectiveness in achieving its stated purpose of protecting the rights of recipients served.
- b. WCLS did not obtain recipient rights system performance data from other peer providers for comparison to its System's performance in protecting recipient rights. Comparing performance to peer groups helps facilitate development of benchmarks for goal setting and helps to identify the best practices for replication, in conformance with an effective CQI process.
- c. WCLS did not effectively utilize the analytical capabilities of its Management Information System (MIS) to provide management with useful analyses of recipient rights complaint related data. For example, such analyses could determine whether the number and rate of complaints reported by month and fiscal year were increasing or decreasing; whether there existed patterns of abuse and neglect by contract providers and at various service sites; or whether there existed contract providers that were effective in minimizing recipient abuse and neglect whose practices could be emulated by other contract providers.

We analyzed complaint data contained in WCLS's MIS database to determine if WCLS could use this data to help improve its effectiveness in protecting recipients from abuse and neglect:

- (a) The MIS database contained 1,898 recipient rights complaints reported to ORR during fiscal years 1994-95 through 1996-97. Our comparative analyses of the number, rate, and disposition of complaints by fiscal year is illustrated in the following tables:

Number of Complaints (All Types (1)) by Fiscal Year and Their Status as of October 1, 1997						
Complaint Status	1996-97 (2)		1995-96		1994-95	
	Total	Per 100	Total	Per 100	Total	Per 100
		Recipients Served		Recipients Served		Recipients Served
Substantiated*	206	12.2	335	20.2	312	19.2
Unsubstantiated*	182	10.8	319	19.2	270	16.6
Pending*	228	13.6	32	1.9	14	0.9
Total	616	36.6	686	41.4	596	36.7

- (1) Complaint types include abuse and neglect, failure to report recipient rights violations, unsuitable treatment, and others.
- (2) As of October 1, 1997, the number of substantiated and unsubstantiated complaints is lower and the number of pending complaints is higher than the figures shown in prior fiscal years. This is caused, in part, by ORR having 90 days to complete its investigations.

\* See glossary on page 43 for definition.

Number of Abuse and Neglect Complaints  
From all Service Sites (1) by Fiscal Year  
and Their Status as of October 1, 1997

Complaint Status	1996-97 (2)		1995-96		1994-95	
	Total	Per 100 Recipients Served	Total	Per 100 Recipients Served	Total	Per 100 Recipients Served
Substantiated	105	6.2	197	11.9	190	11.7
Unsubstantiated	136	8.1	256	15.4	217	13.4
Pending	90	5.3	20	1.2	10	0.6
Total	331	19.7	473	28.5	417	25.7

(1) Service sites include residential homes, day program centers, and others.

(2) As of October 1, 1997, the number of substantiated and unsubstantiated complaints is lower and the number of pending complaints is higher than the figures shown in prior fiscal years. This is caused, in part, by ORR having 90 days to complete its investigations.

The total number of reported abuse and neglect complaints (second table) for fiscal year 1996-97 declined by 142 (30%) and 86 (21%) from fiscal years 1995-96 and 1994-95 levels, respectively. This occurred even though the total number of all complaint types (first table) remained relatively constant from fiscal year 1994-95 to fiscal year 1996-97. This observation would warrant management's attention to determine if the decline was attributable to such variables as actions by ORR staff to reduce instances of abuse and neglect and/or WCLS contract providers' failure to report suspected abuse and neglect cases.

(b) The MIS database contained 652 residential services abuse and neglect complaints related to 446 residential homes operated by 69 residential contract providers which were reported to ORR during fiscal years 1995-96 and 1996-97.

Our analysis disclosed that a significant portion of abuse and neglect complaints were concentrated in a small number of residential contract

providers. The following table shows that 10 (14%) of the 69 residential contract providers accounted for 233 (36%) of the 652 complaints:

The 10 Residential Contract Providers  
With the Most Abuse and Neglect Complaints  
During Fiscal Years 1996-97 and 1995-96 (1)

Provider	Number of Complaints (2)			Average Number of Complaints Per Full-Time Equated Recipient Served
	Total	1996-97	1995-96	
A	42	15	27	1.3
B	33	11	22	0.4
C	23	12	11	0.5
D	23	11	12	0.5
E	21	8	13	0.7
F	21	9	12	0.3
G	18	10	8	0.6
H	18	4	14	0.3
I	17	3	14	1.4
J	17	7	10	0.5
	<u>233</u>	<u>90</u>	<u>143</u>	

- (1) Exhibit 1, presented as supplemental information in this report, contains a more complete list of abuse and neglect complaints by residential contract provider.
- (2) The number of complaints includes substantiated complaints, unsubstantiated complaints, and complaints still open pending the completion of ORR's investigation.

The table also indicates for providers "A" and "I" a possible pattern of significant abuse and neglect. This possible pattern is indicated by the average number of complaints per full-time equated recipient served. These 2 providers each had a rate of recipient rights complaints that was more than 200% higher than the average for the 69 providers of 0.4 complaints (see Exhibit 1) per full-time equated recipient served.

Our further analysis disclosed that a significant portion of abuse and neglect complaints were concentrated in a small number of residential homes. The

following table shows that 20 (4%) of the 446 residential homes accounted for 163 (25%) of the 652 complaints:

The 20 Residential Homes With the Most Abuse and Neglect Complaints During Fiscal Years 1996-97 and 1995-96 (1)				
Home	Number of Complaints (2)			Average Number of Complaints Per Full-Time Equated Recipient Served
	Total	1996-97	1995-96	
1	15	5	10	4.1
2	12	4	8	2.3
3	11	1	10	4.3
4	11	3	8	2.0
5	11	4	7	1.8
6	10	3	7	3.6
7	9	6	3	1.8
8	8	3	5	0.8
9	7	3	4	1.8
10	7	2	5	1.4
11	7	3	4	1.3
12	7	4	3	1.2
13	7	3	4	1.2
14	6	2	4	1.5
15	6	1	5	1.2
16	6	3	3	1.1
17	6	2	4	1.0
18	6	2	4	1.0
19	6	1	5	1.0
20	5	4	1	2.5
	163	59	104	

- (1) Exhibit 2, presented as supplemental information in this report, contains a summary of abuse and neglect complaints reported for the 446 residential homes.
- (2) The number of complaints includes substantiated complaints, unsubstantiated complaints, and complaints still open pending the completion of ORR's investigation.

The table also indicates that these 20 homes experienced a much higher rate of recipient rights complaints than the average for the 446 homes of 0.4

complaints for each full-time equated recipient served. We concluded that each of these homes shows a pattern of possible recipient neglect and abuse. In several instances, this pattern appears serious. For example, Home "1", which is a four bed home, incurred an average of over 4 abuse and neglect complaints for each recipient it served over this two year period. This complaint rate is over 10 times the average for homes operated by WCLS's other contract providers.

Additionally, our analysis shows that 8 (12%) of the 69 contract providers (see Exhibit 1) did not report any abuse and neglect complaints during the two fiscal years. The lack of reported complaints may indicate that these providers have established effective processes to protect recipients from abuse and neglect or these providers are not reporting suspected abuse and neglect cases to ORR.

The total number of complaints reported by provider and by home and the average number of complaints per full-time equated recipient served are important indicators to identify providers who warrant management's immediate attention to ensure that clients are protected against abuse and neglect. Also, these indicators identify providers, for management's review, who may have developed effective processes to protect clients from abuse and neglect that could be replicated at other providers.

We conclude that establishing performance indicators and performance goals; benchmarking to the best practices of peer groups; and analyzing complaint related data, as exemplified in parts (a) and (b), are important monitoring practices. These practices would be useful to WCLS in improving its effectiveness in protecting recipients from abuse and neglect.

## **RECOMMENDATION**

We recommend that WCLS establish an effective CQI process to monitor and improve its Recipient Rights System's performance in protecting recipients from abuse and neglect.

## **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding. WCLS informed us that it has identified performance indicators and performance goals and is in the process of implementing same in order to monitor and improve its effectiveness in protecting recipients from abuse and neglect.

## **FINDING**

### **2. Quality Assurance Process for Operating a Recipient Rights System**

WCLS did not have an effective quality assurance process for ensuring its compliance with Mental Health Code and *Michigan Administrative Code* requirements for operating a recipient rights system.

The DWCCMHA contract with WCLS requires WCLS to comply with the Mental Health Code and *Michigan Administrative Code* requirements for operating a recipient rights system.

In September 1996, WCLS formalized its quality assurance process by establishing policies and procedures that require ORR recipient rights advisors to conduct peer reviews of completed investigations, training programs, and monitoring efforts to ensure consistent compliance with the prescribed requirements for operating a recipient rights system. However, we found that ORR recipient rights advisors had not conducted any peer reviews at the time of our audit. Also, we found that WCLS had not established other processes, such as independent reviews of these ORR functions to assess and ensure ORR's compliance with the Mental Health Code and *Michigan Administrative Code*.

During our audit, the DWCCMHA cited WCLS for noncompliance with Mental Health Code and *Michigan Administrative Code* requirements related to training, service site assessment, guardianship, and complaint investigation reporting. Our audit disclosed similar noncompliance issues (see Findings 4, 5, 6, and 10). In addition, our audit noted noncompliance issues related to initiating and completing complaint investigations and reporting suspected criminal abuse to law enforcement agencies (see Findings 7, 8 and 9). Many of the conditions that resulted in these citations and findings may not have existed if WCLS had established an effective quality assurance process.

We conclude that an effective quality assurance process that includes routine monitoring of the Recipient Rights System through independent reviews, formal reporting to management of review results, and follow-up procedures for ensuring timely corrective action would help provide WCLS management with reasonable assurance that statutory and regulatory requirements are met.

### **RECOMMENDATION**

We recommend that WCLS establish an effective quality assurance process for ensuring its compliance with Mental Health Code and *Michigan Administrative Code* requirements for operating a recipient rights system.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding. WCLS informed us that it has implemented procedural changes as well as a system to monitor performance indicators to ensure its compliance with the Mental Health Code and *Michigan Administrative Code*.

### **FINDING**

#### **3. ORR Staffing Levels**

ORR staffing levels were not sufficient to operate its Recipient Rights System in accordance with the Mental Health Code requirements and its contract with DWCCMHA.

Mental Health Code revisions that became effective March 28, 1996 expanded the requirements for operating an office of recipient rights. The expanded requirements include recipient rights training for all new employees, annual assessments of all homes and other service sites, timelines for initiating and completing complaint investigations, and additional reporting requirements. WCLS's contract with DWCCMHA requires WCLS to assign ORR with sufficient staff to fulfill these requirements. Since March 28, 1996, WCLS has increased ORR staffing levels from 7 to 8 positions.

Two DWCCMHA annual reviews of WCLS conducted since March 28, 1996, and our audit (see Findings 4, 5, 7, 8, and 10), found that WCLS was not in compliance



with several of the new Mental Health Code requirements. We concluded that a key factor contributing to WCLS's noncompliance was that WCLS did not assign sufficient staff to ORR to meet its increased responsibilities mandated by the Mental Health Code.

In July 1996 and in November 1996, WCLS requested, but did not receive, additional funding from DWCCMHA to expand its ORR by four positions to meet the additional mandates. WCLS management informed us that increasing ORR staff without additional funding would require it to reduce staffing in other WCLS service areas. However, considering WCLS's statutory mandates and its contractual obligation to make recipient safety and protection two of its highest priorities, reallocation of staffing resources should receive management's priority attention.

### **RECOMMENDATION**

We recommend WCLS initiate measures necessary to ensure that it has sufficient ORR staff to operate its Recipient Rights System in accordance with the requirements of the Mental Health Code and its contract with DWCCMHA.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding and informed us that:

- (1) WCLS has maximized its existing resources despite financial constraints. WCLS receives funding for 5 positions in ORR and had requested additional funding for 4 positions on three occasions, the latest in February 1998, that were each denied by its funding source.
- (2) WCLS has supplemented ORR by an additional 80% beyond funded staffing with 4 positions from WCLS's internal resources, and it continues to supplement these 4 positions despite an overall employment reduction of 36 (10%) of its total workforce.

## **FINDING**

### **4. Recipient Rights Training**

ORR did not provide sufficient recipient rights training to satisfy training requirements mandated by the Mental Health Code and DWCCMHA policies and procedures.

The Mental Health Code, Sections 330.1001 - 330.2106 of the *Michigan Compiled Laws*, requires an office of recipient rights to ensure that all service provider employees receive recipient rights protection training within 30 days after being employed. This is a new Mental Health Code requirement effective March 28, 1996. WCLS policies and procedures require new WCLS employees to attend recipient rights training within 30 days. Also, DWCCMHA policies and procedures require ORR staff to provide training to home provider and other subcontractor staff and to recipients and their families. Further, DWCCMHA instructed WCLS to provide at least annual training to these individuals.

Our review of WCLS training records disclosed:

- a. ORR did not consistently provide timely training to new WCLS employees. We reviewed the training records of 53 employees hired between March 28, 1996 and September 30, 1997. Six (11%) of the 53 employees did not receive training within 30 days after being hired. These six employees received training from 14 to 141 days after the 30-day period for an average of 53 days.
- b. ORR did not provide annual training to the estimated 7,500 home provider and other subcontractor staff prior to August 1997. In August 1997, after the DWCCMHA cited WCLS for noncompliance with its training requirements, ORR started a program to provide annual training to these staff. However, during the audit, ORR made little progress, providing training to only 217 of these staff. Based on ORR progress through October 2, 1997, we estimate that it will take ORR over six years to provide training to all home provider and other subcontractor staff.
- c. ORR did not offer or provide annual rights training to the estimated 3,280 recipients and their families.

WCLS management attributed the lack of training or untimely training to insufficient ORR staffing (see Finding 3) and to the lack of an adequate monitoring system to ensure the timely completion of training.

Recipient rights training is essential to an effective recipient rights system. Training helps ensure that staff and recipients and their families are aware of recipients' rights, rights violation reporting requirements, and the process for accessing the rights system.

### **RECOMMENDATION**

We recommend that WCLS ensure that ORR provides sufficient recipient rights training to satisfy training requirements mandated by the Mental Health Code and DWCCMHA policies and procedures.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding and informed us that it:

- (1) Has identified a potential of 10,000 to 12,000 individuals to be trained per year. Home staff currently have a 56% turnover rate.
- (2) Is offering recipient rights training on a regular basis for its employees, recipients, and recipients' families, as well as for employees of its home providers and other subcontractors.
- (3) Is developing a system to track annual training attendance and to monitor service providers for compliance.

### **FINDING**

#### **5. Service Site Rights Assessments**

ORR did not conduct rights assessments at each home and other service sites at least annually to monitor the protection of recipient rights as required by the Mental Health Code.

The Mental Health Code, Sections 330.1001 - 330.2106 of the *Michigan Compiled Laws*, requires an office of recipient rights to visit each service site with the frequency necessary for the protection of rights, but in no case less than annually. This is a new Mental Health Code requirement effective March 28, 1996. WCLS policies and procedures also require WCLS recipient rights advisors to conduct annual rights assessments at all service sites to monitor the protection of recipient rights. Site assessments include a review of a subcontractor's rights policies, staffing level records, staff rights training records, and the safety of the environment.

We reviewed WCLS records for site assessments conducted between March 28, 1996 and October 23, 1997. Also, we reviewed the DWCCMHA annual site assessment of WCLS conducted from May through June of 1997. ORR records showed that it began to conduct site assessments in June 1997, after DWCCMHA informed WCLS of its noncompliance with the Mental Health Code. However, as of October 23, 1997, ORR completed assessments of only 56 (11%) of 496 service sites. We estimate that the ORR will need almost three years to complete an assessment of all service sites at this pace. WCLS management informed us that it was unable to implement the Mental Health Code site assessment requirement because of insufficient ORR staffing levels.

We conclude that routine service site monitoring helps detect and correct safety problems in a timely manner. This is particularly significant for WCLS because ORR identified health and safety problems at the service sites it did assess.

### **RECOMMENDATION**

We recommend that ORR conduct rights assessments at each home and other service sites at least annually to monitor the protection of recipient rights as required by the Mental Health Code.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding and informed us that:

- (1) WCLS has identified approximately 550 service sites that need to be assessed per year. WCLS is developing a system to ensure at least an annual site assessment of all its service sites.

- (2) As indicated in our response to Finding 3, WCLS has maximized its existing resources despite financial constraints. WCLS receives funding for 5 positions in ORR and had requested additional funding for 4 positions on three occasions, the latest in February 1998, that were each denied by its funding source.
- (3) WCLS has supplemented ORR by an additional 80% beyond funded staffing with 4 positions from WCLS's internal resources, and it continues to supplement 4 positions despite an overall employment reduction of 36 (10%) of its total workforce.

## **FINDING**

### **6. Guardianship Renewals**

WCLS often did not assist recipients to obtain guardianship renewals as required by the *Michigan Administrative Code*.

*Michigan Administrative Code* R 330.6027 requires WCLS to assist a recipient to obtain a successor guardian when a guardianship is due to expire and a recipient is still judged incompetent to manage his/her own affairs.

Guardianship is an essential safeguard designed to help ensure that the rights of recipients are protected. Guardians are necessary to promote and protect the well-being of the individual, including protection from neglect, exploitation, and abuse. Guardians are typically appointed by a court for a period of five years or less and are expected to take into account the individual's abilities and encourage the development of self-reliance and independence.

Our review of active WCLS recipient records, as of October 1997, disclosed that 1,530 (91%) of WCLS's 1,684 recipients had guardians, but that 237 (15%) of these 1,530 guardianships had expired.

WCLS management discontinued petitioning the Wayne County Probate Court for the reappointment of guardians for many recipients because of a March 1997 WCLS Board resolution to seek and develop alternatives to guardianship despite

the *Michigan Administrative Code* requirement to assist persons to obtain successor guardians.

Service providers and their employees are generally prohibited from acting as guardians because of the possible conflict of interest that this may represent. Without a guardian, the service provider must make decisions on behalf of the recipient in almost every aspect of service delivery, including: admission; placement; medical; legal; contractual; financial; release of information, photographs, and fingerprints; travel; daily dress; programs; and activities.

### **RECOMMENDATION**

We recommend that WCLS assist recipients to obtain guardianship renewals as required by the *Michigan Administrative Code*.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding. WCLS informed us that it is in the process of implementing a new system to ensure the provision of assistance for recipients who need to obtain successor guardians, as well as to offer alternatives for recipients who do not need guardians where appropriate. Also, of the 237 guardianships that had expired, all but 3 have been resolved; the remaining 3 are in the process of resolution.

## **INVESTIGATION OF ABUSE AND NEGLECT COMPLAINTS**

### **COMMENT**

**Audit Objective:** To assess the effectiveness of WCLS's efforts to respond to and investigate recipient abuse and neglect complaints.

**Conclusion:** We concluded that WCLS was often ineffective in its efforts to respond to and investigate recipient abuse and neglect complaints. Our assessment disclosed reportable conditions related to timely reporting and investigation of complaints, timeliness in completing complaint investigations, reporting suspected criminal abuse to

law enforcement agencies, and reporting complaint investigation status and results to complainants and recipients.

## **FINDING**

### **7. Timely Reporting and Investigation of Suspected Rights Violations**

WCLS management often was not effective in ensuring the timely reporting and investigation of suspected rights violations involving abuse or neglect .

The Mental Health Code, Sections 330.1001 - 330.2106 of the *Michigan Compiled Laws*, requires an office of recipient rights to immediately initiate an investigation of reports involving alleged abuse, neglect, or a death involving an apparent or suspected rights violation. WCLS policies and procedures require WCLS employees and home providers and other subcontractors to immediately report suspected abuse and neglect to ORR for investigation.

The timely investigation of suspected abuse and neglect by ORR staff is important to help ensure that the recipient is safe, appropriate medical treatment is provided, the alleged perpetrator is neither in the immediate vicinity of the recipient nor shall be until investigation is completed, the site is secured, physical evidence is confiscated or protected from alteration or modification, a law enforcement agency is notified, and appropriate action is taken to prevent recurrence.

We reviewed the investigation files for 30 suspected abuse and neglect cases opened between January 1, 1997 and August 22, 1997. Fifteen (50%) of the 30 cases were not immediately reported and investigated. ORR initiated investigations on the fifteen cases from 1 to 12 days (average of 4 days) after the suspected abuse and neglect incident was discovered.

We identified three factors which may have contributed to the untimely reporting and investigation of suspected abuse and neglect cases:

- a. Home provider employees sometimes disregarded ORR reporting requirements which caused unnecessary delays. For 8 of the 15 cases, ORR was not notified the same day that the suspected abuse and neglect incidents were discovered.

For example, two home provider direct care workers observed another direct care worker dragging a recipient by the arm. One of the two witnesses reported the incident to the home manager. The home manager advised the reporting employee to file a rights complaint. However, neither of the witnesses nor the manager reported the incident immediately to ORR. ORR did not receive the complaint for 5 days.

- b. ORR staff were not available to immediately investigate reports of suspected abuse and neglect that were reported after business hours, during holidays, or on weekends. For 7 of the 15 cases, ORR was not notified immediately because the incident was reported during other than regular business hours.

For example, a recipient complained to a home provider direct care worker of soreness. A direct care worker discovered large bruises on the recipient and called the home manager. The recipient indicated that his injuries were caused by another direct care worker striking him. The home manager called in the incident at 5:20 pm to the WCLS general on-call staff person, but did not call ORR until the next morning when it was open.

- c. ORR staff often did not initiate an immediate investigation when a case was assigned to them. For 8 of the 15 cases, ORR staff did not initiate an investigation the same day ORR was notified.

For example, ORR staff received a call from a home manager stating that a recipient alleged that a direct care worker struck him and yelled at him. ORR staff did not initiate an investigation for two days. In the interim, the home manager informed the alleged perpetrator of the recipient's allegations, which led to a confrontation between the alleged perpetrator and the recipient.

We conclude that timely reporting and investigations help reduce the risk that a recipient will suffer further harm from a perpetrator or lack of medical attention and that evidence to substantiate recipient abuse and neglect is less likely to be lost or destroyed.



## **RECOMMENDATION**

We recommend that WCLS management implement an effective system to help ensure the timely reporting and investigation of suspected rights violations involving abuse or neglect.

## **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding. WCLS informed us that it has implemented an On-Call System on weekends, after-hours, and holidays to ensure the timely response of its rights advisors to initiate investigations in compliance with the Mental Health Code. Also, timely reporting of suspected rights violations by its service providers is now required by immediate notification by phone call and/or facsimile transmission directly to ORR.

## **FINDING**

### **8. Timeliness in Completing Complaint Investigations**

ORR often did not complete investigations of suspected recipient rights violations within 90 days as required by the Mental Health Code.

The Mental Health Code, Sections 330.1001 - 330.2106 of the *Michigan Compiled Laws*, requires an office of recipient rights to complete the investigation of a suspected rights violation not later than 90 days after it receives the rights complaint. This is a new Mental Health Code requirement effective March 28, 1996. WCLS policies and procedures require WCLS recipient rights advisors to complete investigations within 90 days.

We analyzed ORR database information for abuse and neglect investigations opened between March 28, 1996 and June 30, 1997. We determined that 197 (38%) of the 518 complaint investigations opened were completed late or were overdue from 1 to 450 days (an average of 68 days) as of September 30, 1997.

Our reviews of complaint investigation files and interviews with WCLS staff disclosed two factors which may have contributed to WCLS's noncompliance with the investigation requirements of the Mental Health Code:

- a. WCLS management did not sufficiently increase the number of ORR recipient rights advisors as WCLS's number of recipients, number of recipient rights complaints, and as its recipient rights investigative responsibilities increased over time (see Finding 3).
- b. WCLS management did not establish an effective quality assurance process to monitor the progress of rights violation investigations to help ensure that investigations were completed timely (see Finding 2).

Completion of untimely investigations could delay the implementation of corrective actions designed to prevent future rights violations. In addition, untimely investigation completion could discourage complainants from reporting suspected rights violations in the future.

### **RECOMMENDATION**

We recommend that ORR complete investigations of suspected recipient rights violations within 90 days as required by the Mental Health Code.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding and informed us that:

- (1) All rights complaints received by ORR since March 1, 1998 have been completed within ninety (90) days. This continues to be current to the present by having instituted more efficient processes to accomplish timely completion.
- (2) WCLS has maximized its existing resources despite financial constraints. WCLS receives funding for 5 positions in ORR and had requested additional funding for 4 positions on three occasions, the latest in February 1998, which were each denied by its funding source.
- (3) WCLS has supplemented ORR by an additional 80% beyond funded staffing levels with 4 positions from its internal resources and continues to supplement

4 positions despite an overall employment reduction of 36 (10%) of its total workforce.

## **FINDING**

### **9. Reporting of Suspected Criminal Abuse to Law Enforcement Agencies**

WCLS frequently did not ensure the immediate reporting of suspected criminal abuse to the appropriate law enforcement agency as required by the Mental Health Code.

The Mental Health Code, Sections 330.1001 - 330.2106 of the *Michigan Compiled Laws*, requires a mental health employee, who has reasonable cause to suspect the criminal abuse of a recipient, to immediately make an oral report of the suspected criminal abuse to the appropriate law enforcement agency.

We reviewed 30 abuse and neglect cases that occurred between January 1, 1997 and August 22, 1997 to determine whether evidence existed in the complaint case files indicating notification was made to law enforcement agencies. All 30 of the cases selected involved incidents consistent with the Mental Health Code definition of criminal abuse that required immediate notification to law enforcement agencies. We determined that 24 (80%) of the 30 cases did not indicate that law enforcement agencies were notified. In addition, 2 (7%) of the 30 cases indicated that law enforcement was notified late. For the purposes of our review, we considered law enforcement agency notification timely if it occurred on the same day that the incident was discovered.

The Mental Health Code relieves a person of their reporting responsibility if the individual has knowledge that the incident has been reported to the appropriate law enforcement agency. In many of the cases we reviewed, numerous employees became aware of the incident and did not report it to a law enforcement agency. For example, the incident may first be discovered by a WCLS subcontractor's direct care worker, who notifies his/her manager, who notifies subcontractor administration, who notifies the WCLS "on call" staff person, who then reports the incident to ORR staff. All of these individuals are required to immediately report suspected criminal abuse unless they have knowledge that the incident was reported to a law enforcement agency.

Noncompliance with the reporting requirement could, in part, be caused by the lack of sufficient recipient rights protection training (see Finding 4) on Mental Health Code criminal abuse definitions and suspected criminal abuse reporting requirements.

Law enforcement involvement and enforcement of the reporting requirements are important to ensure that all employees realize the serious nature of recipient criminal abuse. Knowledge that criminal abuse of mental health services recipients by employees will not be tolerated and that suspected criminal abuse will result in law enforcement involvement is essential for effective control and prevention of abuse and neglect.

### **RECOMMENDATION**

We recommend that WCLS ensure the immediate reporting of all suspected criminal abuse to the appropriate law enforcement agency as required by the Mental Health Code.

### **AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding. WCLS informed us that it has implemented a process whereby immediate notification to appropriate law enforcement agencies occurs whenever the required notification has not been made by the reporting party.

### **FINDING**

#### **10. Complaint Acknowledgment Letters, Status Reports, and Summary Reports**

WCLS frequently did not issue complaint acknowledgment letters, status reports, and summary reports to complainants, respondents, or recipients on a timely basis as required by the Mental Health Code.

We reviewed investigation files for 30 suspected abuse and neglect cases opened between January 1, 1997 and August 22, 1997 to determine whether WCLS

issued the letters and reports required by amendments to the Mental Health Code, Sections 330.1001 - 330.2106 of the *Michigan Compiled Laws*, effective March 28, 1996:

- a. WCLS did not issue 5-day acknowledgment letters to complainants for 4 (15%) of 26 applicable cases. The Mental Health Code requires that an acknowledgment letter be sent along with a copy of the complaint to the complainant within 5 business days. In addition to acknowledging receipt of the complaint, these letters inform complainants that they will receive status reports every 30 days during the course of an investigation and that the investigation must be completed within 90 days.
- b. WCLS did not issue 30-day status reports to complainants and respondents for 18 (100%) of 18 applicable cases. The Mental Health Code requires that written status reports be sent to the complainant and respondent every 30 calendar days during the course of the investigation. These reports include a statement of the allegations; a statement of the issues involved; citations to relevant provisions of the Mental Health Code, rules, policies and guidelines; investigative progress to date; and, an expected date for completion of the investigation.
- c. WCLS did not issue 10-day summary reports to complainants and recipients for 18 (75%) of 24 applicable cases. In addition, WCLS issued 10-day summary reports to complainants and recipients late for 6 (25%) of 24 applicable cases. The Mental Health Code requires that a written summary report be sent to the complainant and recipient within 10 business days after the issuance of the written investigative report. These reports include a statement of the allegations; a statement of the issues involved; citations to relevant provisions of the Mental Health Code, rules, policies and guidelines; a summary of investigative findings; a conclusion; recommendations made by WCLS; action taken, or plan of action proposed by the respondent; and a statement describing the complainant's right to appeal and the grounds for an appeal.

WCLS informed us that inadequate ORR staffing impacted its ability to comply with the Mental Health Code amendments (see Finding 3).

**RECOMMENDATION**

We recommend that WCLS issue complaint acknowledgment letters, status reports, and summary reports to complainants, respondents, or recipients on a timely basis as required by the Mental Health Code.

**AGENCY PRELIMINARY RESPONSE**

WCLS concurs with the finding. WCLS informed us that it has completed timely acknowledgment notices and summary letters for all cases as they have been completed. Also, a system for sending out status reports in those cases exceeding 30 days, and thereafter, is being established.

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## SUPPLEMENTAL INFORMATION



## EXHIBIT 1

Number of Abuse and Neglect Complaints (1)  
 Reported for 69 Residential Contract Providers  
 For Fiscal Years 1996-97 and 1995-96

Provider	Number of Complaints (2)			Average Number of Complaints Per Full-Time Equated Recipient Served (2)
	Total	1996-97	1995-96	
A	42	15	27	1.3
B	33	11	22	0.4
C	23	12	11	0.5
D	23	11	12	0.5
E	21	8	13	0.7
F	21	9	12	0.3
G	18	10	8	0.6
H	18	4	14	0.3
I	17	3	14	1.4
J	17	7	10	0.5
K	17	7	10	0.5
L	17	2	15	0.3
M	16	5	11	1.0
N	16	7	9	0.7
O	16	8	8	0.7
P	15	6	9	0.5
Q	15	7	8	0.4
R	15	5	10	0.4
S	15	8	7	0.4
T	14	6	8	0.5
U	14	8	6	0.4
V	14	6	8	0.3
W	14	4	10	0.2
X	12	4	8	0.3
Y	12	5	7	0.3
Z	11	2	9	0.9
AA	10	4	6	0.5
AB	10	4	6	0.4
AC	10	5	5	0.2
AD	9	4	5	0.6
AE	9	3	6	0.4
AF	8	6	2	1.3
AG	8	3	5	0.5
AH	8	2	6	0.5
AI	8	3	5	0.3
AJ	8	6	2	0.2

*This schedule continued on next page.*

Number of Abuse and Neglect Complaints (1)  
Reported for 69 Residential Contract Providers  
For Fiscal Years 1996-97 and 1995-96  
*Continued*

Provider	Number of Complaints			Average Number of Complaints Per Full-Time Equated Recipient Served
	Total	1996-97	1995-96	
AK	8	5	3	0.2
AL	8	2	6	0.2
AM	7	2	5	0.4
AN	7	6	1	0.4
AO	7	1	6	0.3
AP	6		6	1.1
AQ	6	2	4	0.6
AR	6	4	2	0.3
AS	5	4	1	0.6
AT	4		4	3.7
AU	4	3	1	0.7
AV	4	4		0.2
AW	4	2	2	0.2
AX	3	1	2	0.8
AY	3		3	0.7
AZ	3	2	1	0.3
BA	3	2	1	0.1
BB	2	1	1	0.5
BC	2	1	1	0.4
BD	1	1		0.5
BE	1	1		0.3
BF	1		1	0.3
BG	1		1	0.2
BH	1		1	0.2
BI	1	1		0.1
BJ	0			0
BK	0			0
BL	0			0
BM	0			0
BN	0			0
BO	0			0
BP	0			0
BQ	0			0
	<u>652</u>	<u>265</u>	<u>387</u>	<u>0.4</u>

- (1) The number of abuse and neglect complaints includes substantiated complaints, unsubstantiated complaints, and complaints still open pending the completion of ORR's investigation.
- (2) We used WCLS's MIS database to prepare this exhibit and calculate the number of complaints and the average number of complaints per full-time equated recipient served.

EXHIBIT 2

Number of Abuse and Neglect Complaints (1)  
Reported for 446 Residential Homes  
For Fiscal Years 1996-97 and 1995-96

Number of Homes Reporting	Number of Complaints Reported Per Home	Total Number of Reported Complaints (2)	Cumulative Number and Percentage of			
			Homes (2)		Complaints (2)	
1	15	15	1	(0.22%)	15	(2.30%)
1	12	12	2	(0.45%)	27	(4.14%)
3	11	33	5	(1.12%)	60	(9.20%)
1	10	10	6	(1.35%)	70	(10.74%)
1	9	9	7	(1.57%)	79	(12.12%)
1	8	8	8	(1.79%)	87	(13.34%)
5	7	35	13	(2.91%)	122	(18.71%)
6	6	36	19	(4.26%)	158	(24.23%)
16	5	80	35	(7.85%)	238	(36.50%)
24	4	96	59	(13.23%)	334	(51.23%)
39	3	117	98	(21.97%)	451	(69.17%)
52	2	104	150	(33.63%)	555	(85.12%)
97	1	97	247	(55.38%)	652	(100.00%)
199	0	0	446	(100.00%)	652	(100.00%)
446		652				

- (1) The number of abuse and neglect complaints includes substantiated complaints, unsubstantiated complaints, and complaints still open pending the completion of ORR's investigation.
- (2) We used WCLS's MIS database to prepare this exhibit and calculate the number of reported complaints and the cumulative number and percentage of homes and complaints.

## Glossary of Acronyms and Terms

abuse	Actions by an employee or volunteer of a mental health agency that intentionally cause physical, emotional, or economic harm to a recipient; constitute unreasonable force on a recipient; or degrade, threaten, or sexually harass a recipient.
case management services	Services that will assist the recipient in gaining access to needed medical, social, educational, and other services. These services include assessment, service plan development, linking and coordinating of services, and monitoring of services.
clinical support services	Mental health services that include case management; physical, speech, and occupational therapy; and nursing, psychological, and psychiatric services.
CMH	community mental health services program.
continuous quality improvement process	A process that includes: performance indicators for measuring outcomes; performance goals that describe the desired level of outcomes consistent with the best of peer group performance; a management information and data collection system to accurately gather outcome data and monitor progress; a comparison of outcome data to desired outcomes; a reporting of the comparison results to management; an analysis of the performance gaps that exist between the outcomes and the desired outcomes and proposals of program modifications to improve effectiveness.
CQI	Continuous quality improvement.

criminal abuse	Assault, homicide, sexual conduct, or abuse of a vulnerable adult that is a violation of the Michigan Penal Code, Sections 750.1 - 750.568 of the <i>Michigan Compiled Laws</i> .
day program services	A program that provides planned and systematic sequences of training and therapy tailored to the client's needs, which are delivered in a setting other than residential or inpatient and with a frequency and duration that will improve the client's functioning in the community.
developmental disabilities	Disabilities that become evident in childhood; are expected to continue indefinitely; constitute a substantial handicap to the affected individual; and are attributed to mental retardation, cerebral palsy, epilepsy, or other neurological conditions.
DWCCMHA	Detroit-Wayne County Community Mental Health Agency.
effectiveness	Program success in achieving mission and goals.
efficiency	Achieving the most outputs and outcomes practical for the amount of resources applied or minimizing the amount of resources required to attain a certain level of outputs or outcomes.
housing development services	The establishment of residential settings, which include houses, condominiums, and apartments, for the placement of recipients.
material condition	A serious reportable condition which could impair the ability of management to operate a program in an effective and efficient manner and/or could adversely affect the opinion of an interested person concerning the effectiveness and efficiency of the program.
MIS	Management Information System.

mission	The agency's main purpose or the reason the agency was established.
neglect	Acts of commission or omission by an employee or volunteer of a mental health agency which result from noncompliance with standards of care or treatment which cause physical or emotional harm to a recipient or could have placed a recipient at risk of physical harm. Also, the failure of an employee or volunteer to report abuse and neglect.
ORR	WCLS's Office of Recipient Rights.
pending complaint	An ongoing complaint investigation.
performance audit	An economy and efficiency audit or program audit that is designed to provide an independent assessment of the performance of a governmental entity, program, activity, or function to improve public accountability and to facilitate decision making by parties responsible for overseeing or initiating corrective action.
performance goals	The agency's intended outcomes or impacts for a program to accomplish its mission.
performance indicators	Information of a quantitative or qualitative nature indicating program outcomes, outputs, or inputs. Performance indicators are typically used to assess achievement of goals.
quality assurance process	A process established by an agency to provide reasonable assurance that it has adopted and is following applicable standards and has adopted and is following adequate policies and procedures.

recipient rights system	The organization, policies, procedures, and processes established by an agency to further the safety and protection of its recipients. A key component of this system is an office of recipient rights.
recipients	Individuals receiving mental health services.
reportable condition	A matter coming to the auditor's attention that, in his/her judgment, should be communicated because it represents either an opportunity for improvement or a significant deficiency in management's ability to operate a program in an effective and efficient manner.
residential services	Services provided in residential settings which may include room and board, 24-hour supervision and protection, and specialized mental health services in-home or out-of-home. These services are designed to enhance the health, welfare, and development of a client with developmental disabilities or mental illness.
service provider	An agency under contract with the Department of Community Health, a county community health agency, or a licensed hospital to provide mental health services.
substantiated complaint	A complaint investigation finding that a rights violation did occur.
unsubstantiated complaint	A complaint investigation finding that a rights violation did not occur or could not be proven.
vulnerable adult	An individual over the age of 18 who because of a developmental disability requires supervision or lacks the skills to live independently.
WCLS	Wayne Community Living Services, Inc. (a service provider).

